

EXHIBIT 5

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 — — —

4 **IN RE: AUTOMOTIVE WIRE HARNESS**
5 **SYSTEMS ANTITRUST**

6 **MDL NO. 12-2311**

7 _____/

8 **STATUS CONFERENCE &**
MOTIONS FOR PRELIMINARY APPROVAL

9 BEFORE THE HONORABLE MARIANNE O. BATTANI
10 United States District Judge
11 Theodore Levin United States Courthouse
12 231 West Lafayette Boulevard
13 Detroit, Michigan
14 Wednesday, October 8, 2014

13 **APPEARANCES:**
14 **Direct Purchaser Plaintiffs:**

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1 panels, fuel senders were all produced approximately a year
2 or so ago, that have had all of that. If there is some
3 connection they should have seen it. So they have had lots
4 of discovery. I think what they are referring to is they
5 have served document requests for other discovery and there
6 have been meet and confers about that. I think most issues
7 have been resolved. We don't -- for Denso we have no
8 outstanding issues, we are just exchanging ideas on search
9 terms which we are combining and we are going to be ready to
10 go, and we are already in the process of producing hard copy
11 documents, so that's going ahead already.

12 The one thing we haven't had is any depositions.
13 We have been wanting to take depositions. I think we were
14 here back in February and we needed to close the gap on a
15 couple issues for the deposition protocol. Since then they
16 have refused to talk to us about a wire harness deposition
17 protocol. They have insisted that any discussions be based
18 on an all-product all-case basis. We have said that's not
19 what the supplemental discovery plan requires, and we want to
20 just close the gap on these last couple issues for our
21 deposition protocol and take some depositions, but we haven't
22 been able to do that.

23 THE COURT: What about these third-party
24 depositions where people are asked to come in multiple times?

25 MR. CHERRY: Yeah, Your Honor, we agree that there

CERTIFICATION

I, Robert L. Smith, Official Court Reporter of
the United States District Court, Eastern District of
Michigan, appointed pursuant to the provisions of Title 28,
United States Code, Section 753, do hereby certify that the
foregoing pages comprise a full, true and correct transcript
taken in the matter of Automobile Parts Antitrust Litigation,
Case No. 12-02311, on Wednesday, October 8, 2014.

s/Robert L. Smith
Robert L. Smith, RPR, CSR 5098
Federal Official Court Reporter
United States District Court
Eastern District of Michigan

Date: 10/22/2014
Detroit, Michigan